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TECH CENTER 1600/2900

Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/020,513	12/18/2001	Brigitte Bathe	32301WD247

00441  
SMITH, GAMBRELL & RUSSELL, LLP  
1850 M STREET, N.W., SUITE 800  
WASHINGTON, DC 20036

CONFIRMATION NO. 8770

FORMALITIES LETTER



\*OC000000009097724\*

Date Mailed: 11/13/2002

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/29/2002 MRLAND 00000003 10020513

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	740.00 OP
02 FC:1202	144.00 OP
03 FC:1051	130.00 OP

Filing Date Granted

#### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$144** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1014** for a Large Entity

- **\$740** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$144**
  - **\$144** for 8 total claims over 20.

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



18F

MP-8 / 10/1/89

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Attorney Docket No. 32301 WN247

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:

Group Art Unit: 1653

DEC 05 2002

Brigitte Bathe, et al.

TECH CENTER 1600/2900

Serial No. : 10/020,513

Examiner: TO BE ASSIGNED

Filed: December 18, 2001

For : NUCLEOTIDE SEQUENCE WHICH CODE FOR THE ilve GENE

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION, FILED UNDER 37 C.F.R. 1.53(b)

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application mailed November 13, 2002,  
Applicants submit herewith the following documents relating to the above-captioned patent application:

- \*A copy of the Notice to File Missing Parts of Application;
- \*Executed Declaration/Power of Attorney;
- \*Assignment Recordation Cover Sheet and Executed Assignment;
- \*Sequence Listing Submission Statement with computer readable disk; and Check for \$ 1054.00 to cover the filing fee (\$740), assignment recordation (\$40), surcharge (\$130) and additional claims (\$144).

If any additional fees are due in connection with this filing, such as fees under 37 C.F.R. §§ 1.16 or 1.17, the Commissioner is authorized to charge the fees to SGR

Deposit Account No. 02-4300. Similarly, please credit any overpayment to SGR Deposit Account No.

02-4300.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: *Robert G. Weilacher* *By No. 456,115*

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Date: November 27, 2002



Attorney Docket :  
32301WN247

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Group Art Unit: 1653

Brigitte Bathe, et al.

Serial No. : 10/020,513

Examiner: TO BE ASSIGNED

Filed: December 18, 2001

For : NUCLEOTIDE SEQUENCE WHICH CODE FOR THE ilvE GENE

SEQUENCE LISTING SUBMISSION STATEMENT  
UNDER 37 CFR § 1.821

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith is a paper copy and a computer readable copy of the sequence listing for NUCLEOTIDE SEQUENCE WHICH CODE FOR THE ilvE GENE, as required Notice to File Missing Parts which was mailed on November 13, 2002 for the above-identified application. The content of the paper copy and the computer readable copy are the same. This submission contains no new matter.

Respectfully submitted,

Robert G. Weilacher, Reg. No. 20,531  
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November 27, 2002